

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
AUGUST 18, 2010

Session 10-14, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Minsch at 7:00 p.m. on August 18, 2010 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, HIGHLAND, MINSCH, SINN, VENUTI, KRANICH, DRUHOT

ABSENT: NONE

STAFF: CITY PLANNER ABBOD
PLANNING TECHNICIAN ENGBRETSSEN
PLANNING ASSISTANT ROSENCRANS
PUBLIC WORKS DIRECTOR MEYER

APPROVAL OF AGENDA

KRANICH/BOS - MOVE TO AMEND THE AGENDA TO CHANGE THE ORDER OF PENDING BUSINESS ITEMS, AND MOVING DECISION AND FINDINGS FOR REFUGE CHAPEL/REFUGE ROOM APPEAL OF AN ENFORCEMENT ORDER TO PENDING BUSINESS.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

There were no public comments.

RECONSIDERATION

No items were scheduled for reconsideration.

ADOPTION OF CONSENT AGENDA

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

- A. Approval of the August 4, 2010 regular meeting minutes
- B. Time Extension Requests
- C. Approval of City of Homer Projects under HCC 1.76.030 g
- D. KPB Coastal Management Program Reports

The consent agenda was approved by consensus of the Commission.

PRESENTATIONS

There were no presentations scheduled.

REPORTS

A. Staff Report PL 10-76, City Planner's Report

City Planner Abboud reviewed his report.

PUBLIC HEARINGS

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

A. Staff Report PL 10-68, A Request for a Conditional Fence Permit at 2617 Kachemak Drive, Lot 2 Keta Cliffs Subdivision

City Planner Abboud summarized staff report.

Mr. Turner shared pictures of the fence. He stated he was not aware of the code limitations on fences and they would not have built it if they knew. He noted that when the water/sewer improvements went through, they removed all vegetation that was providing privacy. The speed limit is 35 mph, but most drive much faster and there is a desperate need for privacy. He placed the fence in its current location to avoid removing trees, further; he has planted new vegetation that will completely cover the fence within two or three years.

KRANICH/SINN - MOVE TO APPROVE STAFF REPORT PL 10-68 AS PER CONDITIONS 4, 5, 7, 8, 10, 12, 13.

Commissioner Sinn stated it would make sense for residences near commercial property to be allowed to provide privacy with a fence.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Chair Minsch noted that the subject of allowing fences for privacy shall be placed on an agenda at a later date.

B. Staff Report PL 10-67, Hillstrand's Homestead Section Line Easement and Right of Way Vacation

Commissioner Sinn stated he has a conflict of interest, stating he does business with one of the applicants and the dollar amount is more than is allowable by city code.

KRANICH/BOS - MOVE THAT COMMISSIONER SINN BE EXCUSED DUE TO CONFLICT OF INTEREST IN STAFF REPORT PL10-67, AS WELL AS ITEM 9 OF THE PLAT CONSIDERATION AS HE DOES BUSINESS WITH ONE OF THE APPLICANTS AND THE DOLLAR AMOUNT IS MORE THAN WHAT IS ALLOWABLE BY CITY CODE.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Planning Technician Engebretsen summarized the staff report.

Public Works Director Meyer explained the process and option of obtaining the section line easement. He stated the city has acquired land west of the water treatment plant and is proposing to vacate Carter Drive around the water treatment plant from Skyline Drive to the north of the treatment plant.

Nancy Hillstrand addressed the Commission but her comments were not audible on the recording.

Discussion followed regarding access to Hillstrand property and extending Carter Drive.
KRANICH/BOS - MOVE TO ADOPT STAFF REPORT PL 10-67 AS AMENDED TO INCLUDE STAFF RECOMMENDATIONS AND TO BE CONTINGENT ON NEW RIGHT OF WAY EXTENDING CARTER DRIVE.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

PLAT CONSIDERATION

A. Staff Report PL 10-66, Hillstrand's Homestead Preliminary Plat

Planning Technician Engebretsen summarized the staff report.

Nancy Hillstrand addressed the Commission but her comments were not audible on the recording.

Discussion followed regarding preventing development next to the ravine, protecting the watershed, and drainage.

KRANICH/BOS - MOVE TO ADOPT STAFF REPORT PL 10-66 WITH STAFF COMMENTS AND RECOMMENDATIONS.

KRANICH/BOS - MOVE TO AMEND MAIN MOTION TO ADD CONTOUR INFORMATION AS REQUIRED IN ITEM #12.

VOTE: (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended) NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Draft Decision and Findings for Conditional Use Permit 10-04, 1033 Skyline Drive

Chair Minsch excused Commissioner Venuti from the table and for deliberations for pending business items A, B, and C. Deliberations were continued for 10 minutes.

KRANICH/BOS - MOVE TO ACCEPT THE DECISION AND FINDINGS FOR CONDITION USE PERMIT 10-04, 1033 SKYLINE DRIVE.

KRANICH/BOS - MOVE TO DELETE FINDING 4.

VOTE: (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

KRANICH/BOS - MOVE TO AMEND FINDING TWO TO CHANGE WORDING TO 'WITH A CONDITIONAL USE PERMIT' AFTER PUBLIC FACILITIES.

VOTE: (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

KRANICH/BOS - MOVE TO AMEND FINDING 9 TO DELETE THE LAST SENTENCE.

VOTE: (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

KRANICH/BOS - MOVE TO AMEND FINDING 11 TO INSERT THE WORD 'IN' AFTER THE WORD 'WITH' AFTER COMPATIBLE USE WITH RESIDENTIAL ZONING.

VOTE: (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

KRANICH/BOS - MOVE TO DELETE SENTENCE WITH 'OUTDOOR PATIO.'

VOTE: (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Motion approved as amended, and added two special conditions:

- Code compliant parking shall be provided on the property.
- Property owner to obtain a valid DOT driveway permit.

VOTE: (main motion as amended): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

B. Draft Decision and Findings for Variance 10-01, 1033 Skyline Drive

KRANICH/BOS - MOVE TO ADOPT DECISION AND FINDINGS FOR VARIANCE 10-01, 1033 SKYLINE DRIVE.

KRANICH/BOS - MOVE TO PLACE PERIOD AFTER THE WORD SLOPE ON PAGE place period after the word slope at the end of find slope to replace 40%

VOTE: (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

C. Staff Report PL 10-71, Draft Spit Comprehensive Plan

The commission continued discussion in work session mode.

KRANICH/BOS - MOVE TO SUSPEND RULES TO ALLOW PUBLIC COMMENT.

Nancy Hillstrand voiced concern about lack of public participation on the Spit Comprehensive Plan. Discussion followed regarding the time frame for the final document and when public meetings would occur. There will be a final draft document available prior to the next planning commission meeting on September 1, 2010.

D. Staff Report PL 10-73, Draft Steep Slope Ordinance

BOS/KRANICH - MOVE TO FORWARD THE DRAFT STEEP SLOPE ORDINANCE TO PUBLIC HEARING.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

E. Staff Report PL 10-59, Rezone Ordinance

KRANICH/DRUHOT - MOVE TO POSTPONE DISCUSSION OF THE DRAFT REZONE ORDINANCE TO THE NEXT WORK SESSION.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

F. Decision and Findings for Refuge Chapel/Refuge Room Appeal of an Enforcement Order

KRANICH/BOS - MOVE TO TAKE DECISION AND FINDINGS FOR REFUGE CHAPEL/REFUGE ROOM APPEAL OF AN ENFORCEMENT ORDER OFF CONSENT AGENDA TO PENDING BUSINESS, ITEM F AND ADOPT DOCUMENT AS PRESENTED.

Commissioner Kranich noted that item 11 on page ten refers to small 8 person dorm....two rooms that can each hold two men...numbers wrong...'in addition to an 8 person room'...

KRANICH/BOS - MOVE TO AMEND ITEM 11 ON PAGE TEN TO STATE 'ONE EIGHT PERSON ROOM, PLUS TWO ROOMS THAT CAN EACH HOUSE TWO MEN.

VOTE: (amendment) NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Page 7 typo, Top of page

KRANICH/DRUHOT - MOVE TO AMEND PAGE 7 TO STATE 'PAID BY SOCIAL SERVICE GROUPS.'

VOTE: (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended) NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

A. Staff Report PL 10-74, Election of Officers

SINN/BOS -MOVE TO SUSPEND RULES AND CONTINUE MEETING UNTIL 10:30p.m.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

DRUHOT/BOS - MOVE TO NOMINATE CHAIR MINSCH FOR CHAIR OF THE HOMER ADVISORY PLANNING COMMISSION.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

DRUHOT/HIGHLAND - MOVE TO NOMINATE COMMISSIONER BOS FOR VICE CHAIR OF THE HOMER ADVISORY PLANNING COMMISSION.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

B. Staff Report PL 10-77, Capital Improvement Plan

KRANICH/SINN - MOVE TO SUBMIT LAST YEAR'S RECOMMENDATIONS WITH THE EXCEPTION OF DELETING EAST BOAT HARBOR AND MOVING WATER SOURCE TO THE NUMBER ONE POSITION.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

A. City Manager's Report dated August 9, 2010

B. Letter dated August 11, 2010 from Mayor Hornaday to Franco Venuti regarding Appointment to the Homer Advisory Planning Commission

C. Memorandum dated August 4, 2010 to Rick Abboud, City Planner from Carey Meyer, Public Works Director regarding Homer City Code Revisions

COMMENTS OF THE AUDIENCE

Members of the audience may address the Commission on any subject. (3 minute time limit)

There were no audience comments.

COMMENTS OF STAFF

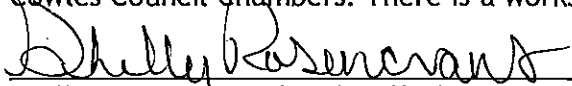
Planning Technician Engebretsen welcomed Commissioner Venuti.

COMMENTS OF THE COMMISSION

The Commission welcomed and thanked Commissioner Venuti.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 10:30 p.m. The next regular meeting is scheduled for September 1, 2010 at 7:00 p.m. in the City Hall Cowles Council Chambers. There is a worksession at 5:30 p.m. prior to the meeting.


Shelly Rosencrans, Planning Clerk

Approved: September 1, 2010

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 1, 2010

Session 10-15, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Minsch at 7:00 p.m. on September 1, 2010 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, DRUHOT, HIGHLAND, KRANICH, MINSCH, VENUTI

ABSENT: COMMISSIONER SINN

STAFF: CITY PLANNER ABBOD
DEPUTY CITY CLERK JACOBSEN

APPROVAL OF AGENDA

The agenda was approved by consensus of the Commission.

PUBLIC COMMENT

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

Nancy Hillstrand, city resident, thanked the Commission for the reconsideration as it has given her time to get a better understanding of what is happening. She provided some information to explain her specific concerns. She explained that plat as written is that only a portion of her property was involved in the eminent domain and the rest of her property was not. She wants it to be as close to the original integrity of her original deed as possible, because then the rest of her rights are not being taken away. She has concern that some of the notes will pertain to the rest of her unsubdivided land that was not part of the eminent domain process. She wants to ensure there will not be more of a taking with the unsubdivided land. Ms. Hillstrand said she better understands the vacation and doesn't have any issue with that. She would like the plat to reflect how clean the deed was prior to the eminent domain. She is trying to keep the rest of her land clean from the restrictions and encumbrances because that is a result of the taking of the four acres. It kind of makes her a victim again, where she didn't ask for this to happen. She thanked the Commission again reiterating that the extra time has been helpful to her to gain better understanding.

RECONSIDERATION

HIGHLAND/BOS MOVED TO RECONSIDER STAFF REPORT PL 10-67, HILLSTRAND'S HOMESTEAD SECTION LINE EASEMENT AND RIGHT-OF-WAY VACATION.

Commissioner Highland said that after the last meeting she left with concerns and wanted to make sure that a private citizen wasn't wronged in some way. She said Ms. Hillstrand's comments left her wanting to investigate it more. It would have been more helpful to have more history of the situation. It is a scenario where city's go a little bit over the line on doing some takings and she just wanted to have more information to make sure something like that didn't happen here.

It was noted that Ms. Hillstrand said she did not have any objection to the vacation.

VOTE: YES: HIGHLAND

NO: BOS, MINSCH, DRUHOT, KRANICH, VENUTI